

**Hamilton County General Health District**  
**PUBLIC HEARING— BOARD OF HEALTH**  
**January 12, 2015**  
**Minutes**

**1. Call to Order**

At 6 p.m., President Jim Brett called to order the public hearing to hear public testimony on proposed new policies and standards for sewage systems.

**2. Roll Call of Members**

Members Present: President, Jim Brett, Dr. Kenneth Amend, Tracey Puthoff.

District Staff: Timothy Ingram, Health Commissioner  
Greg Kesterman, Assistant Health Commissioner  
Chris Griffith, Director, Water Quality  
Greg Cassiere, Supervisor, Water Quality  
Mike Samet, Public Information Officer

Guests: A.J. Nieman, Nieman Plumbing  
Scott Fox, Nieman Plumbing  
Chris Hall, Metropolitan Sewer District  
Ron Zins, Zins Plumbing

**Proposal- Policies and Standards for Sewage Systems**

Mr. Griffith provided a presentation covering the proposed policies and standards in accordance with Ohio Administrative Code 3701-29. Local health districts are allowed to further define or adopt local standard and develop policies about statewide sewage treatment system code. Hamilton County Public Health (HCPH) is not changing the State rules; rather HCPH is adding clarification through policy and standards on how the state rules will be implemented. The agency is remaining consistent with requirements from HCPH Regulation 529.

Mr. Griffith explained the audit process as discussed by the Board of Health during the December Board meeting for the following groups: *Service providers will receive Compliance Inspections when a contractor submits "proof of maintenance" in lieu of Hamilton County Public Health inspection.* Also, they will receive a minimum of one inspection per year while service is being performed. Septage haulers will receive at least one inspection per year while pumping is being performed by installers. There are no changes proposed from the previous installation inspection requirements.

Regarding effluent quality, Mr. Griffith explained that effluent standards will be required to be met when a Property Improvement /Modification Inspection is required when living space is being added; also, if sewage treatment system components have been removed from a system and owner claims the standards can still be met.

Flow rates have been modified to clarify bedroom definitions and adjust sewage treatment systems capacity. This applies by defining a bedroom as at least 70 square feet, contains a closet or area that could easily be finished as a closet, has multiple means of ingress/egress and sole ingress cannot be through another bedroom, and has a door or opening that can easily be finished with a door.

Similar requirements to Regulation 529 are being proposed for vertical separation distance to a seasonal water table. State code authorizes locals to adopt a distance between six-18 inches to seasonal water tables that are not in low lime soils (which require 24 inches). Eighteen inches is proposed with an allowed reduction to zero inches when using high quality pre-treatment. Clermont and Warren Counties have adopted similar requirements.

Similar to Regulation 529, pressure distribution and time dosing will be required in moderate risk conditions including when shallow leach lines or mounded systems are used. Time dosing required in higher risk situations such as when a shallow flow restrictive layer is present at  $\leq 12$  inches from the ground's surface; effluent is distributed over sandy or rapidly permeable material; or where septic tank effluent is sent to a pressurized absorption field.

The proposal includes authorization for the Health Commissioner to specify and implement additional permit terms and conditions governing the siting, design, installation, alteration, operation, monitoring, maintenance and abandonment of sewage treatment systems, where needed. The health commissioner is authorized to review and make decisions on hearings and variances and to designate staff capable of soil description requirements and specify additional site/soil limiting conditions, where needed.

### **Questions/Answers/Comments**

**Speaker:** A.J. Nieman representing Nieman Plumbing and the Cincinnati Master Plumber's Association

Mr. Nieman asked how inspection fees are administered and for definitions of moderate- and high-risk categories. Mr. Griffith responded that system owners are issued operator permits and no additional fee for contractors will be required. Specific definitions of risk categories are based on soil conditions, which will be evaluated by a certified soil evaluator.

Mr. Nieman advised that fees in Hamilton County are higher than surrounding counties. Commissioner Ingram explained that the fees have already been implemented. Some counties subsidize fees for contractors out of tax levies. Commissioner Ingram indicated that Hamilton County does not believe it is an appropriate use of taxpayer dollars to subsidize contractors.

Mr. Nieman explained that it is difficult to become registered to service some of the systems currently in operation because manufacturers are out-of-business or have proprietary service provision contracts. Mr. Kesterman answered that for systems installed prior to 2007, no certification is required. The State has advised local health departments to be lenient with service providers, explaining that anything allowed under state law in terms of servicing systems will be allowed in Hamilton County.

Mr. Kesterman continued to explain that the Ohio Department of Health issues bonds and bondholders are listed on the agency's web site, which will allow contractors to work across counties. The State is currently working to provide a new list. Any bonding questions should be directed to the Ohio Department of Health. Mr. Griffith or Mr. Kesterman can handle permitting questions.

**Speaker:** Chris Hall representing the Metropolitan Sewer District

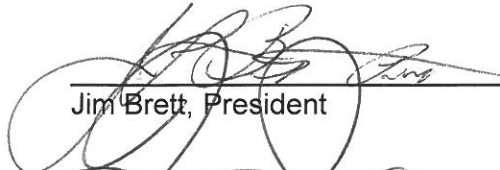
Mr. Hall read a statement from the Metropolitan Sewer District supporting the resolution and the Board of Health efforts to improve water quality standards in Hamilton County:

"The Metropolitan Sewer District of Greater Cincinnati supports all the efforts of the Board of Health to protect and improve water quality for our area residents. This includes adoption of the Board's specific local standards as part of the new Ohio Department of Health Sewage Treatment Rules effective January 1, 2015. The District specifically favors the standards contained in section 3701-29-09(I)(2)(b) with limitations on CBOD, TSS and E. Coli. The District also encourages implementation of nutrient standards as allowed in section 3701-29-14 (C). "

### 3. Adjournment

At 6:35 p.m. **Ms. Puthoff** moved to adjourn the hearing; **Dr. Amend** seconded the motion.

**Roll call vote – all aye**

  
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Jim Brett, President  
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Timothy I. Ingram, Secretary  
Health Commissioner